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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

JOSEPH BARBAGALLO,

Plaintiff,

vs.

METROPOLITAN LIFE INSURANCE
 COMPANY,

Defendant.

Civil Action No. 14-cv-1362 (KMK)

**STIPULATION DISMISSING THE
 LITIGATION WITH PREJUDICE**

The matter in difference in the above-entitled action having been amicably adjusted by and between the parties, it is hereby stipulated and agreed that same be and it is hereby dismissed, with prejudice, without costs against either party. ✓

It is further agreed and stipulated that this Court shall retain jurisdiction limited to any action brought to enforce the terms and provisions of the settlement between the parties.

Dated: January 16, 2015

USCHER, QUIAT, USCHER & RUSSO
 A Professional Corporation
 Attorneys for Plaintiff,
 Joseph Barbagallo

By: [Signature]
 Michael E. Quiat

SEDGWICK, LLP
 Attorneys for Defendant,
 Metropolitan Life Insurance Company

By: [Signature]
 Michael H. Bernstein

So Ordered this 20th day of January, 2014

[Signature]
 Kenneth M. Karas, U.S.D.J.
 White Plains, NY